#### TENNESSEE NATIONAL REGISTER LISTINGS

#### FREQUENTLY ASKED QUESTIONS

The <u>National Register of Historic Places</u> program is a powerful preservation tool that forms the basis for federal preservation programs as well as many local and state-level programs. Listing in the National Register acknowledges the significance of a property and, in some cases, can generate funding for eligible properties. However, it can be hard to understand the complexities of the program, what listing in the National Register means for property owners, and if a National Register-listed property can be eligible for financial incentive programs.

This list of Frequently-Asked-Questions compiles some of the most common National Register information requests we receive on a daily basis.

If you do not see your question here or you still have concerns after reading the relevant FAQ, please contact National Register staff directly at <a href="National.Register@tn.gov">National.Register@tn.gov</a>. When contacting staff, please be sure to provide your name, contact information, and the address of the property you are inquiring about.



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#### What is the National Register of Historic Places?

The National Register of Historic Places (NRHP) is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's NRHP is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect American's historic and archeological resources.

In Tennessee, the staff of the Tennessee Historical Commission administers this program in coordination with the National Park Service. Tennessee is home to over <u>2000 National Register-listed properties</u> that include resources such as homes, businesses, schools, bridges, cemeteries, churches, boats, archeological sites, and historic districts.

#### I want to list my property in the National Register. How do I do that?

All the information you need to initiate the National Register process is located on our <u>Listing Process page</u>. If you have any questions after reviewing the page, please reach out to National Register staff for guidance at <u>National.Register@tn.gov</u>.

#### How do I check to see if my property is already listed in the National Register?

There are several methods to determine if your property is already listed. You can check by searching for your address on the <u>Tennessee Historical Commission Viewer</u>, or by searching our Tennessee National Register Listings <u>spreadsheet</u>. If you are having trouble determining if your property is listed in the National Register, please contact National Register staff at <u>National.Register@tn.gov</u>. When you contact staff, please be sure to provide your name, contact information, and address of the property you are inquiring about.

#### Does listing in the National Register restrict me from doing what I want with my property?

<u>No.</u> Listing in the National Register is an honorary designation and does not impose restrictions on what a property owner can, and cannot do, with their property. For example, a property owner is not required to maintain a National Register-listed property or provide public access to the property.

It should be noted that if a property changes too much and loses the characteristics that made it historically significant, there is a chance the property could be removed from the National Register. As such, we always recommend that owners follow the <u>Secretary of the Interior's Standards</u> when making changes or doing work to a National Register-listed property.

## My property is listed in the National Register. Do I need permission from you to make any changes to my property?

<u>No</u>. Listing in the National Register is an honorary designation and does not impose restrictions on what a property owner can, and cannot do, with their property. This means you do not need to receive permission from us to conduct work.

We recommend that property owners check with their local government to determine if there is any applicable zoning or historic overlays that may affect a property. We do not have that

information on file as each local government in Tennessee has different requirements and procedures.

It should be noted that if a property changes too much and loses the characteristics that made it historically significant, there is a chance the property could be removed from the National Register. As such, we always recommend that owners follow the <u>Secretary of the Interior's Standards</u> when making changes or doing work to a National Register-listed property.

#### Someone is tearing down a National Register-listed property. Can you stop them?

<u>No</u>. Listing in the National Register is an honorary designation and does not impose restrictions on what property owners can, and cannot do, with their property. This means that listing in the National Register does not force a property owner to maintain a listed property and/or prevent an owner from demolishing a listed property if they so wish. While the National Register designation means that the property is significant and worthy of preservation, the maintenance and upkeep of a National Register-listed property is ultimately the sole responsibility of the property owner.

#### Why should I list my property in the National Register?

There are many reasons to list a property in the National Register. A few of the most common are as follows:

- 1. **Recognition** Listing in the National Register acknowledges a property's significance in history, design, or archeology and makes the public aware of places that are worthy of preservation.
- 2. Consideration During Federal Planning Processes Any project that uses federal funding, federal licensing, or federal permit must identify resources that are currently listed in the National Register or are potentially eligible for the National Register. The agency must then determine if their project will adversely affect the identified property and consult to potentially mitigate any adverse impacts on said property. For more information on this process, please see the Section 106 Review webpage.
- 3. **Eligibility for Financial Incentive Programs** Listing in the National Register may make the owners of the property eligible to apply for preservation grants or participate in the tax credit program, under certain circumstances. For more information on the programs and their requirements, please see the <u>Preservation Grants</u> and <u>Federal Historic Tax Credit webpage</u>.

#### How do I know if my property is eligible for listing in the National Register?

The most efficient way to determine if a property can be eligible for listing in the National Register is to complete and submit an <u>Information Packet</u> to <u>National Register@tn.gov</u>. National Register staff have experience in navigating the submittal process and have the most up-to-date information and guidance on how to evaluate properties provided by the National Park Service.

#### What is the criteria for listing a property in the National Register?

Properties should be at least 50 years old, have significance in history, design, or archaeology, and should retain its important historic characteristics.

Certain property types have additional requirements which make it more difficult or impossible to list them. Those property types include moved properties and cemeteries, among others.

#### Will I be able to sell a National Register-listed property to anyone I want?

<u>Yes</u>. Listing in the National Register does not prevent an owner from selling, subdividing, or deeding their property to whomever, or in whatever way, they wish.

#### Will listing in the National Register increase my insurance rates?

<u>It should not</u>. Contrary to popular belief, the National Register does not require an owner to replace any damaged or deteriorated historic materials with an exact replacement, nor does it require a property owner to build back damaged portions of the property exactly as they were.

#### I own a National Register-listed property. Can I remove it from the National Register?

Properties can only be removed from the National Register in specific circumstances, the most common of which is that it no longer retains the characteristics that made it eligible for listing, meaning that the property has been completely destroyed or substantially altered. To prove this, it is the responsibility of the property owner to provide National Register staff with documentation demonstrating the property should no longer be listed. The documentation must then be reviewed by Tennessee National Register staff, the Tennessee State Review Board, and the National Park Service before a removal could be approved.

Delisting requests based on owner preference is not a legally allowed reason to delist.

### I see the term "historic property" mentioned quite a bit on the Tennessee Historical Commission website. What does that mean?

Though the public uses the term "historic" to refer to any building or resource considered old or historical, we use the term "historic" to refer to a property or resource that is either listed in the National Register, determined eligible for the National Register, or listed as a Contributing resource to a National Register Historic District.

#### Is there a Tennessee Register of Historic Places?

The Tennessee Register of Historic Places is the same as the National Register of Historic Places' Tennessee listings. The only way to list a property in the Tennessee Register is to get it listed in the National Register.

#### How long does it take to list a property in the National Register?

<u>It depends</u>. Because each property is unique, it is hard to determine how long the nomination process may take. For an individual property nomination, an applicant can expect the listing

process to take a year or longer from the time they receive the National Register nomination form to final approval by the National Park Service.

Factors that affect the overall nomination timeline include the experience of the preparer with the National Register process, the complexity of the nominated property (industrial or agricultural properties with multiple outbuildings will require documentation for each resource within their boundaries), and the number of revisions requested by National Register staff. The best way to ensure that a nomination is completed according to your personal or professional timelines is to contact National Register staff as early as possible. There are also consultants who specialize in writing National Register nominations that are available for hire should the property owner wish to do so.

National Register Historic Districts, that is nominations that encompass multiple properties and property types (like a downtown commercial district), take considerably longer than an individual property nomination. If you are interested in preparing a National Register Historic District nomination, please download the <u>Historic District Information Packet</u> and contact Tennessee National Register staff at <u>National.Register@tn.gov</u>.

#### Can you "fast track" a nomination?

<u>No.</u> A National Register nomination is a federal document that must follow a federally mandated listing process and timeline. If a nomination is not adequately completed or does not meet the program's specific timelines and notification process, the nomination cannot proceed until such issues are addressed. These requirements do not allow for an "expedited" process.

If there is a need for a property to be nominated in a short period of time, it is crucial to contact <u>National Register staff</u> as early as possible as the listing process generally takes a year or longer to complete.

#### Do I have to pay anything to have my property listed in the National Register?

<u>No</u>. There are no program costs associated with listing a property in the National Register. An owner can choose to hire a consultant to complete a National Register nomination for them, but this is not required. We successfully list several nominations every year that are prepared by property owners.

#### Can anybody help me with a nomination to list my property?

<u>Maybe</u>. If the property is within a <u>development district</u> with a preservation planner on staff, then the planner may be able to assist. There may also be local preservation organizations or volunteers to assist but the Tennessee Historical Commission does not maintain a list of such organizations. Another option is to hire a preservation consultant. The <u>Historic Preservation Fund grant program</u> can also help cover the cost of nominations.

## Am I provided a National Register plaque once my property is listed in the National Register?

<u>No</u>. Plaques are not provided by the State of Tennessee. However, we do have a list of vendors that can make National Register <u>plaques</u> for property owners. We do not recommend one plaque over the other.

Please note that a National Register plaque is different from our Tennessee Historical Commission Historical Markers Program signs. If you are interested in obtaining a historical marker, please visit the Historical Markers Program page here.

# My property has been determined ineligible for listing in the National Register. Do I have any options for appealing this decision?

A property is only eligible for listing in the National Register if it meets the National Park Service's criteria for listing and retains the historic qualities necessary to communicate its historical importance. If a property does not meet these guidelines, then it would not be listed in the National Register.

If your property has been determined ineligible for the National Register in the past, please reach out to National Register staff for an up-to-date determination of eligibility. Decisions may change due to new information or changes to the property itself. The way State Historic Preservation Offices and the National Park Service evaluate properties has also changed over time.

If your property has been determined ineligible for the National Register recently and you disagree with the determination, you may complete a nomination and proceed through the listing process. National Register staff will help ensure the document is complete but are required to make the State Review Board aware of why they do not believe the property meets the requirements. Ultimately, the National Park Service has final say on whether a property is listed.

### What is the difference between a local historic district and a National Register Historic District?

There are several differences between a Local Historic District and a National Register Historic District. The following table elaborates further on these differences:

#### National Register Districts vs. Local Historic Zoning

#### **National Register District**

- Based on National Historic Preservation Act of 1966
- Federal Government designates district as worthy of preservation
- Does not prevent demolition or create any limits for property owners
- Requires consent of the majority of property owners

#### Local Historic Zones

- Based on state enabling legislation
- Local government establishes districts and appoints historic zoning commission (HZC)
- HZC regulates exterior changes through 'Certificates of Appropriateness'
- Usually does not require property owner consent
- Designation should be community driven and supported

## I want to do work on a National Register-listed property. What are some of the resources available to make sure the work is appropriate and my property stays listed?

We always recommend that owners follow the <u>Secretary of the Interior's Standards</u> when making changes or doing work to a National Register-listed property. The Standards do not provide a checklist of what to do in every situation, but rather provide overarching guidelines on how to treat properties and preserve their historic character.

There are multiple standards available, but most property owners use the <u>Standards for Rehabilitation</u>, which allow for sensitive upgrades while preserving the historic features that allowed the property to be listed.

If you are interested in learning more about the Standards or have a specific question about work proposed to a National Register-listed property, please contact our Technical Preservation Team at THC.Rehab@tn.gov.

# Does the National Register guarantee that I will receive funding for the upkeep and maintenance of my property?

<u>No</u>. Listing in the National Register does not automatically guarantee funding for the preservation of the property. The THC has no funding programs for routine maintenance or upkeep. However, some property types can be eligible to apply for our competitive Historic Preservation Fund grant program, or our Historic Tax Credit program for major rehabilitation or restoration projects. For more information on the programs and their requirements, please see the <u>Preservation Grants</u> and <u>Federal Historic Tax Credit</u> webpage.

## I am a private homeowner of a National Register-listed property. Am I eligible for the Historic Preservation Fund Grant program?

The owner of any property listed in the National Register may apply, but the Historic Preservation Fund Grant program emphasizes projects that provide the most public benefit so awards typically go to non-profits and local governments The THC receives more requests than it can fund, so grants are highly competitive. Funded examples include architectural and archaeological surveys, design guidelines for historic districts, National Register nominations for properties determined eligible, and the restoration of historic buildings listed in the National Register that have a public use. For more information on the Historic Preservation Fund Grant program, please see the program website <a href="https://example.com/historic-preservation-fund-frant-program">https://example.com/historic-preservation-fund-frant-f

## The Information Packet asks for a history of the property and photos inside and out. Do I really have to do those?

<u>Yes.</u> National Register criteria require a property to be 50 years, have significance in history, design, or archaeology, and retain its important historic features. Significance must be documented by credible sources, such as historic records. For that reason, THC staff need a property history to evaluate whether the property may meet the requirements for historic significance. Photos help us understand the property, how it has changed, and whether it has significance for design.